

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

INDIA WALKER,

Plaintiff,

v.

LINDY PROPERTY MANAGEMENT
COMPANY,

Defendants.

CIVIL ACTION

NO. 20-2371

ORDER

AND NOW, this 29th day of January, 2021, upon consideration of Defendant Lindy Property Management Company's Motion to Dismiss (ECF 18), Plaintiff India Walker's Response in Opposition to Defendant's Motion to Dismiss (ECF 19), and Defendant's reply thereto (ECF 20), **IT IS HEREBY ORDERED** that the Motion to Dismiss is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. Plaintiff's claims for breach of contract (Count XI), and her claims under the Fair Labor Standards Act (Count XII), Wage Payment and Collection Law (Count XIII), and Pennsylvania Minimum Wage Act (Count XIV) are **DISMISSED WITH PREJUDICE**;
2. Plaintiff's claims for retaliation under Title VII and the Pennsylvania Human Relations Act (Counts IX and X) are **DISMISSED WITH PREJUDICE** to the extent that they are premised on the allegations of Plaintiff's Second Charge of Discrimination filed with the Equal Employment Opportunity Commission;
3. The Motion to Dismiss is otherwise **DENIED**.

BY THE COURT:

/s/Wendy Beetlestone, J.

WENDY BEETLESTONE, J.